

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Machold et al.

Divisional of Serial No. 09/707,257
filed November 6, 2000

For: METHOD AND SYSTEM FOR
CONTROL OF A PATIENT'S BODY
TEMPERATURE BY WAY OF A
TRANSLUMINALLY INSERTABLE HEAT
EXCHANGE CATHETER

Prior Examiner: Robert L. Nasser

Group Art Unit: 3736

Client ID/Matter No. RADME-64795

Express Mail Label No. EV 327058775 US

August 20, 2003

INFORMATION DISCLOSURE STATEMENT

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The documents listed on the enclosed form PTO-1449 (Modified) have come to the attention of the applicant and are submitted to the Office under 37 C.F.R. § 1.97. As provided under 37 C.F.R. § 1.98(a), copies of the listed references have not been enclosed because the information listed on Form PTO-1449 (Modified) was previously cited by or submitted to the Office in related application U.S. Serial No. 09/707,257, filed November 6, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. However, should the examiner wish to receive copies of these references, applicant will provide them upon request. Applicant respectfully requests that the foregoing citations

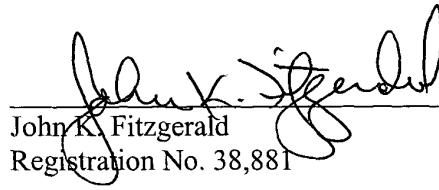
considered and made of record. This statement is not a representation that all of the information cited is necessarily effective as prior art against the present application or that a prior art search was performed.

This Information Disclosure Statement is being submitted pursuant to 37 CFR 1.97(b)(3), and therefore no fee is due. However, if a fee is in fact due, the Commissioner is authorized to charge any additional fee(s) to our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:


John K. Fitzgerald
Registration No. 38,881

JKF/RCS:vmm/gbr

Enclosures: Form 1449 (Modified) (8 pgs.)

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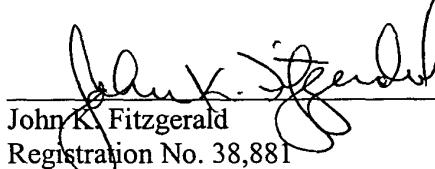
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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT Page 1 of 8				Applicant: Machold et al.			
				Filing Date:		Prior Art Unit: 3736	
UNITED STATES PATENT DOCUMENTS							
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applicable)
		2,308,484	01/19/43	Auzin et al.			
		3,425,419	02/04/69	Dato			
		3,726,283	04/10/73	Dye et al.			
		3,788,328	01/29/74	Alley et al.			
		3,995,617	12/07/76	Watkins et al.			
		4,014,317	03/29/77	Bruno			
		4,038,519	07/26/77	Foucras			
		4,111,209	09/05/78	Wolvek et al.			
		4,246,932	01/27/81	Raines			
		4,298,006	11/03/81	Parks			
		4,393,863	07/19/83	Osterholm			
		4,445,514	05/01/84	Osterholm			
		4,445,887	05/01/84	Osterholm			
		4,445,888	05/01/84	Osterholm			
		4,446,154	05/01/84	Osterholm			
		4,446,155	05/01/84	Osterholm			
		4,450,841	05/29/84	Osterholm			
		4,451,251	05/29/84	Osterholm			
		4,470,407	09/11/84	Hussein			
		4,540,402	09/10/85	Aigner			
FOREIGN PATENT DOCUMENTS							
Exr's. Init.	Cite #	Document No.	Date	Country	Class	Sub	Translation? Yes No
		WO 91/05528	05/02/91	Granulab B.V.			
Examiner				Date Considered			
<p>* Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. ¶ 609. Draw line through citation (i.e., citation) if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							

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UNITED STATES PATENT DOCUMENTS								
*Exr's. Init.	Cite #	Patent No.	Date	Name		Class	Sub Class	Filing Date (if applicable)
		4,657,532	04/14/87	Osterholm				
		4,661,094	04/28/87	Simpson				
		4,662,383	05/05/87	Sogawa et al.				
		4,672,962	06/16/87	Hershenson				
		4,686,085	08/11/87	Osterholm				
		4,701,166	10/20/87	Groshong et al.				
		4,705,501	11/10/87	Wigness et al.				
		4,748,979	06/07/88	Hershenson				
		4,754,752	07/05/88	Ginsburg et al.				
		4,758,431	07/19/88	Osterholm				
		4,769,005	09/06/88	Ginsburg et al.				
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		4,804,358	02/14/89	Karcher et al.				
		4,819,655	04/11/89	Webler				
		4,830,849	05/16/89	Osterholm				
		4,857,054	08/15/89	Helfer				
		4,873,978	10/17/89	Ginsburg				
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		4,892,519	01/09/90	Songer et al.				
		4,899,741	02/13/90	Bentley et al.				
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UNITED STATES PATENT DOCUMENTS								
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		4,909,252	03/20/90	Goldberger				
		4,920,963	05/01/90	Brader				
		4,941,475	07/17/90	Williams et al.				
		4,963,130	10/16/90	Osterholm				
		4,976,691	12/11/90	Sahota				
		4,981,691	01/01/91	Osterholm et al.				
		4,995,863	02/26/91	Nichols et al.				
		5,011,488	04/30/91	Ginsburg				
		5,019,075	05/28/91	Spears et al.				
		5,030,210	07/09/91	Alchas				
		5,041,089	08/20/91	Mueller et al.				
		5,085,630	02/04/92	Osterholm et al.				
		5,092,841	03/03/92	Spears				
		5,106,360	04/21/92	Ishiwara et al.				
		5,112,301	05/12/92	Fenton, Jr. et al.				
		5,147,385	09/15/92	Beck et al.				
		5,149,321	09/22/92	Klatz et al.				
		5,151,100	09/29/92	Abele et al.				
		5,174,285	12/29/92	Fontenot				
		5,180,364	01/19/93	Ginsburg				
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UNITED STATES PATENT DOCUMENTS								
*Exr's. Inits.	Cite #	Patent No.	Date	Name		Class	Sub Class	Filing Date (if applicable)
		5,191,883	03/09/93	Lennox et al.				
		5,196,024	03/23/93	Barath				
		5,211,631	05/18/93	Sheaff				
		5,216,032	06/01/93	Manning				
		5,234,405	08/10/93	Klatz et al.				
		5,248,312	09/28/93	Langberg				
		5,250,070	10/05/93	Parodi				
		5,257,977	11/02/93	Eshel				
		5,261,399	11/16/93	Klatz et al.				
		5,269,758	12/14/93	Taheri				
		5,342,301	08/30/94	Saab				
		5,344,436	09/06/94	Fontenot et al.				
		5,368,591	11/29/94	Lennox et al.				
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		5,403,281	04/04/95	O'Neill et al.				
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		5,437,673	08/01/95	Baust et al.				
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		5,531,776	07/02/96	Ward et al.				
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UNITED STATES PATENT DOCUMENTS								
*Exr's. Init.	Cite #	Patent No.	Date	Name		Class	Sub Class	Filing Date (if applicable)
		5,624,392	04/29/97	Saab				
		5,653,692	08/05/97	Masterson et al.				
		5,676,691	10/14/97	Friedman				
		5,678,570	10/21/97	Manning				
		5,716,386	02/10/98	Ward et al.				
		5,733,319	03/31/98	Neilson et al.				
		6,019,783	02/01/00	Philips et al.				
		6,042,559	03/28/00	Dobak, III				
		6,126,684	10/03/00	Gobin et al.				
		6,146,411	11/14/00	Noda et al.				
		6,149,670	11/21/00	Worthen et al.				
		6,149,677	11/21/00	Dobak, III				
		6,245,095 B1	06/12/01	Dobak, III et al.				
		6,287,326 B1	09/11/01	Pecor				
		6,290,717 B1	09/18/01	Philips				
		6,299,599 B1	10/09/01	Pham et al.				
		6,312,452 B1	11/06/01	Dobak, III et al.				
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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	
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				Examiner Name	Unassigned
Sheet		6	of	8	Attorney Docket Number
		RADME- 64795			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ¹
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		WHITE, R. et al., "Profound selective cooling and ischemic of primate brain without pump or oxygenator," <i>Surgery</i> , July, 1969, pp. 224-232, Vol. 66, No. 1			
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		SAFAR, P. et al., "Resuscitation after global brain ischemic-anoxia," <i>Critical Care Medicine</i> , July-August 1978, pp. 215-227, Vol. 6, No. 4			
		PING, F.C. et al., "Protection of the Brain From Hypoxia: A Review," <i>Canadian Anaesthetists' Society Journal</i> , November 1978, pp. 468-473, Vol. 25, No. 6			
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		GISVOLD, S. et al., "Multifaceted Therapy After Global Brain Ischemia in Monkeys," <i>Stroke</i> , September-October 1984, pp. 803-812, Vol. 15, No. 5			
		LEONOV, Y. et al., "Mild Cerebral Hypothermia during and after Cardiac Arrest Improves Neurologic Outcome in Dogs," <i>Journal of Cerebral Blood Flow and Metabolism</i> , (1990), pp. 57-70, Vol. 10, No. 1			
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		TISHERMAN, S. et al., "Therapeutic Deep Hypothermic Circulatory Arrest in Dogs: A Resuscitation Modality for Hemorrhagic Shock with 'Irreparable' Injury," <i>The Journal of Trauma</i> , July 1990, pp. 836-847, Vol. 30, No. 7			
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		DIETRICH, W., "The Importance of Brain Temperature in Cerebral Injury," <i>Journal of Neurotrauma</i> , (1992), pp. S475-S485, Supplement 2			

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO				Complete if Known	
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
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		GINSBERG, M. et al., "Therapeutic Modulation of Brain Temperature: Relevance to Ischemic Brain Injury," <i>Cerebrovascular and Brain Metabolism Reviews</i> , (1992), pp. 189-225, Vol. 4, No. 3			
		MARTINEZ-ARIZALA, A. et al., "Hypothermia in Spinal Cord Injury," <i>Journal of Neurotrauma</i> , May 1992, pp. S497-S505, Vol. 9, Suppl. 2			
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		KATAOKA, K. et al., "Ischemic Neuronal Damage: How Does Mild Hypothermia Modulate It?", <i>Molecular and Chemical Neuropathology</i> , (1996), pp. 191-195, Vol. 28			
		SAFAR, F. et al., "Selective brain cooling after cardiac arrest," <i>Critical Care Medicine</i> , (1996), pp. 911-914, Vol. 24, No. 6			

Examiner Signature		Date Considered
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Substitute for form 1449A/PTO				Complete if Known	
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		HOFFMAN, W. et al., "Effects of graded hypothermia on outcome from brain ischemic," <i>Neurological Research</i> , April 1976, pp. 185-189, Vol. 18, No. 2			
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Examiner Signature		Date Considered	
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